



City of Scottsdale PROJECT NARRATIVE



- ☐ Rezoning ☐ Other
☐ Use Permit
☐ Development Review
☐ Master Sign Programs
☒ Variance

Case # _____ / _____ -PA-
 Project Name Schell Residence
 Location 6104 E. Cortez Dr.
 Applicant Michael & Colleen Schell

SITE DETAILS

Proposed/Existing Zoning: R1-35 Parking Required: N/A
 Use: SFR Parking Provided: N/A
 Parcel Size: 35,627 sq. ft # Of Buildings: N/A
☐ Gross Floor Area ☐ Total Units: _____ Height: N/A
☐ Floor Area Ratio ☐ Density: _____ Setbacks: N- _____ S- _____
 E- _____ W- _____

In the following space, please describe the project or the request

The subject lot (66) within this subdivision is a double frontage lot that is approximately 35,627 square feet in area. A double frontage lot is defined in the Zoning Ordinance as "...a lot having frontage on two (2) nonintersecting streets, as distinguished from a corner lot." The double frontage occurs along East Cortez Drive on the east side of the lot, and along North 61st Place along the west side of the lot.

North 61st Place in this vicinity is a street created with the plat of Paradise Manor Estates subdivision. North 61st Place is a cul-de-sac which is 404 long and 26 foot wide which was created to provide access exclusively to Lot 98 of Paradise Manor Estates. The Paradise Manor Estates subdivision platted in 1995 created the double frontage situation, which did not previously exist. Prior to platting of the Paradise Manor Estates subdivision this parcel was an equestrian facility. The subject lot (66) in the Equestrian Manor Unit 2 Amended subdivision, which was platted in 1974, backed to this facility rather than a street (61st Place). Prior to the platting of the Paradise Manor Estates, the front yard of the subject lot would have been on Cortez Drive only. The west property line would have by Zoning Ordinance definition been considered the side property line requiring a 15 foot setback for the dwelling. A double frontage situation did not exist prior to the platting of Paradise Manor Estates.

The Zoning ordinance requires double frontage lots to provide a front yard (40 foot setback) along both street frontages. The owner is requesting the west property line be restored to a 15 foot setback in order to allow the square footage of the home to be increased and an additional 2 car garage added to the west side of the lot. The owner is **not** seeking a variance from the required front yard setback on Cortez Drive.

Although the platting of Paradise Manor Estates resulted in a double frontage lot for the owner, the development standards approved by the City for Paradise Manor Estates protected those home sites from having a double frontage situation occur. The amended development standards approved with the R1-35 zoned Paradise Manor Estates include the following approved amended standard for double frontage lots: "Where lots have a double frontage on (2) streets, the required front yard of forty (40) feet shall be provided on the interior subdivision street frontage only and the setback on the perimeter subdivision street shall not be less than fifteen (15) feet."

As previously stated, the setback in question on the west side of Lot 66 would likely have been considered a side yard setback prior to the double frontage situation with the creation of this new street with the Paradise Manor Estates plat. This is because the south property line of the subject lot would most likely have been considered the rear lot line from which the rear yard setback is taken. The definition of a rear yard indicates that "...If the lot has frontage on a cul-de-sac, the rear lot line shall be the lot line which most closely approximates the rear lot line of abutting lots (Lots 64 and 65 along Cortez Drive). A design of the expansion of the square feet of the home and addition of a garage is not available at this time.

The granting of this variance will allow the owner to enjoy the same rights currently enjoyed by other properties in the district and subdivision. The Equestrian Manor Homeowners Association has been made aware of owner's intention to file a request for variance and have indicated support of owners' intention. Owner has also met with the adjoining homeowners and has confirmed their support for owners' variance request. Owner will provide letters of support from the Homeowners Association and neighbors with the final application.

(If an additional page(s) is necessary, please attach.)

8-BA-2003

8/19/03



Justification For Requested Variance



CASE # _____

PROJECT # _____ - PA -

APPLICANT TO FILL OUT THIS PORTION

Address Where Variance is Requested

6104. East Cortez Drive
Lot 66 Equestrian Manor Unit 2 Amended

JUSTIFICATION

Must Be Completed Fully By Applicant (All Four Justifications Must Be Satisfied)

1. That there are special circumstances applying to the property referred to in the application which do not apply to other properties in the District. The special circumstances must relate to the size, shape, topography, location or surroundings of the property at the above address.

The subject property is zoned R1-35 and is within the Equestrian Manor Unit 2 (amended) subdivision recorded on January 12, 1974. Upon recordation of the plat, the property fronted onto Cortez Drive and backed onto a tract dedicated for equestrian riding and boarding. At that time, a 15 foot setback could have been allowed from the west property line. On February 15, 1994 the Scottsdale City Council approved the Paradise Manor Estates subdivision plat which eliminated the tract adjacent to the property dedicated to equestrian use and replaced said tract with a private street (61st Place). This action resulted in the transformation of the property into a lot with two (2) front yards having to meet the forty (40) foot setback requirement on both sides of the property adjacent to Cortez Drive and 61st Place. At the time of recordation of the Paradise Manor Estates subdivision plat, only three (3) lots of the ninety (90) lots platted in Equestrian Manor Units 1 & 2, would have been considered to have two (2) front yards thus requiring them to maintain the required 40 foot setback on two sides of the property.

2. That the authorizing of the variance is necessary for the preservation of the privileges and rights enjoyed by other properties within the same zoning classification and zoning district.

Other properties within the Equestrian Manor Unit 2 subdivision are not required to maintain two (2) front yards having a depth of forty (40) feet. Furthermore, those properties now adjacent to and developed prior to approval of the Paradise Manor Estates and its' private streets did not have to maintain two (2) front yards. Finally, those lots in Paradise Manor Estates that front on two (2) streets are not required to maintain two (2) front yard set backs of forty (40) feet because the development standards for Paradise Manor Estates were amended by the City to require that only the interior subdivision street fronting yard maintain a forty (40) foot set back while the perimeter subdivision street fronting yard maintain a setback not less than fifteen (15) feet. Simply stated, other properties within 800 feet of the subject property that are double fronting are not required to provide two (2) front yards having a depth of forty (40) feet.

3. That special circumstances were not created by the owner or applicant.

The owner of the property neither plated Paradise Manor Estates nor realized 61st Place would create a double fronting lot situation on his property requiring that two (2) front yards be maintained.

4. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general.

The granting of these variances will allow the property owner to enjoy the same rights currently enjoyed by other properties in the district and subdivision. The Equestrian Manor homeowners association has approved the proposed variance. The neighboring property owners have also been made aware of the proposed variance and support owners variance request. No persons or the general welfare of the public will be materially damaged by the granting of this variance.

8-BA-2003

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